

DECLARATION FOR PATENT APPLICATION

As the below-named inventors, we hereby declare

that:

My residence, post office address and citizenship
are as stated below next to my name.

I believe I am an original, first and joint inventor
of the subject matter which is claimed and for which a patent
is sought on the invention entitled METHODS OF OPTIMIZING
ANTIBODY VARIABLE REGION BINDING AFFINITY, the specification
of which

_____ is attached hereto as Attorney Docket No.
_____).

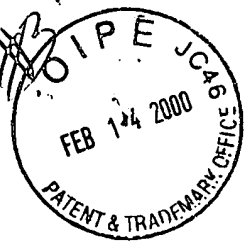
X was filed on November 4, 1999
as Application Serial No. 09/434,870
(Attorney Docket No. P-IX 3458)

and was amended on (or amended through) _____.
(if applicable)

I hereby state that I have reviewed and understand
the contents of the above-identified specification, including
the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose to the U.S.
Patent and Trademark Office all information known to myself to
be material to patentability as defined in Title 37, Code of
Federal Regulations, Sec. 1.56.

Under Sec. 1.56, information is material to
patentability when it is not cumulative to information already
of record or being made of record in the application, and (1)
It establishes, by itself or in combination with other



REPLACED BY PAGE # 12

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information, a prima facie case of unpatentability of a claim;
or (2) It refutes, or is inconsistent with, a position the
applicant takes in: (a) Opposing an argument of
unpatentability relied on by the U.S. Patent and Trademark
Office, or (b) Asserting an argument of patentability.

I hereby declare that all statements made herein of
my own knowledge are true and that all statements made on
information and belief are believed to be true; and further
that these statements were made with the knowledge that
willful false statements and the like so made are punishable
by fine or imprisonment, or both, under Section 1001 of Title
18 of the United States Code and that such willful false
statements may jeopardize the validity of the application or
any patent issued thereon.

Full name of first inventor: William D. Huse

Inventor's signature: W.D. Huse

Date: January 7, 2000

Residence: United States of America

Citizenship: United States of America

Post Office Address: 471 Avenida Primavera
Del Mar, California 92014

Inventors: Huse et al.
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Page 3

Full name of second inventor: Jeffry Watkins

Inventor's signature: Jeffry D. Watt

Date: 01-14-00

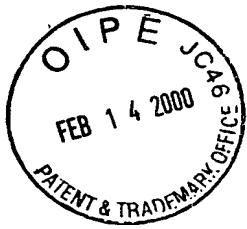
Residence: United States of America
Citizenship: United States of America
Post Office Address: 455 Jolina Way
Encinitas, California 92024

Full name of third inventor: Herren Wu

Inventor's signature: Herren Wu

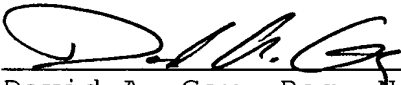
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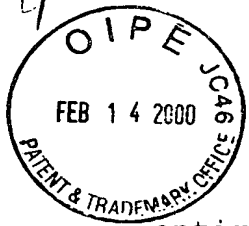
Residence: United States of America
Citizenship: Taiwan
Post Office Address: 5255 Timber Branch Way
San Diego, California 92130



DECLARATION
P-IX 3458
Serial No.: 09/434,870

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Attention: BOX MISSING PARTS, Assistant Commissioner for Patents, Washington, D.C. 20231, on February 7, 2000.

By 
David A. Gay, Reg. No. 39,200
February 7, 2000
Date of Signature



POWER OF ATTORNEY FOR PATENT APPLICATION BY ASSIGNEE

Assignee IXSYS, INCORPORATED is the owner of the entire right, title and interest of U.S. patent application Ser. No. 09/434,870, filed on November 4, 1999, as attorney docket number P-IX 3458, and entitled METHODS OF OPTIMIZING ANTIBODY VARIABLE REGION BINDING AFFINITY, and any subsequently filed divisional, continuation, continuation-in-part or reissue application, including international and foreign applications claiming priority thereto.

The Assignee hereby appoints the following attorneys to prosecute these applications and to transact all related business in the United States Patent and Trademark Office and any international and foreign patent offices:


CATHRYN CAMPBELL, Registration No. 31,815; PAUL C. STEINHARDT, Registration No. 30,806; GREGORY R. HOOK, Registration No. 38,701; DAVID SPOLTER, Registration No. 36,933; DAVID A. GAY, Registration No. 39,200; CALVIN A. FAN, Registration No. 38,444; ROBERT T. RAMOS, Registration No. 37,915; ANDREA L. GASHLER, Registration No. 41,029; JAMES J. WONG, Registration No. 34,949; DEBORAH L. CADENA, Registration No. 44,048; KERRY S. TAYLOR, Registration No. 43,947; and MELANIE K. WEBSTER, Registration No. 45,201.

Please direct all telephone calls to Cathryn Campbell at (858) 535-9001 and address all correspondence to:

CATHRYN CAMPBELL
CAMPBELL & FLORES LLP
4370 La Jolla Village Drive
Suite 700
San Diego, California 92122

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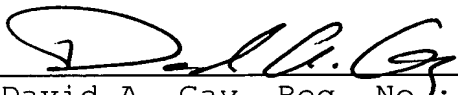
The undersigned is authorized to sign on behalf of
the Assignee.

Signature: 
Name (typed): William D. Huse, M.D., Ph.D.
Title: CEO
Assignee: Ixsys, Inc.
Date: January 7, 2000



POWER OF ATTORNEY
P-IX 3458
Serial No.: 09/434,870

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By 
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Packet No.: P-IX 3458

Applicants or Patentees: Huse et al.

Serial or Patent No.: 09/434,870

Filed: November 4, 1999

For: METHODS OF OPTIMIZING ANTIBODY VARIABLE REGION BINDING
AFFINITY

**VERIFIED STATEMENT (DECLARATION) CLAIMING
SMALL ENTITY STATUS (37 CFR 1.9(F) AND 1.27(C))**

SMALL BUSINESS CONCERN

I hereby declare that I am

☐ the owner of the small business concern identified
below:

☒ an official of the small business concern empowered to
act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: IXSYS, INCORPORATED
ADDRESS OF SMALL BUSINESS CONCERN: 9520 Dunhill Street
San Diego, California 92121

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to

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control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled METHODS OF OPTIMIZING ANTIBODY VARIABLE REGION BINDING AFFINITY by inventors Huse et al. as described in

[] the specification filed herewith
[X] application serial no. 09/434,870 , filed November 4, 1999
[] patent no. , issued

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).
*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

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NAME:

ADDRESS:

- ☐ INDIVIDUAL
- ☐ SMALL BUSINESS CONCERN
- ☐ NONPROFIT ORGANIZATION

NAME:

ADDRESS:

- ☐ INDIVIDUAL
- ☐ SMALL BUSINESS CONCERN
- ☐ NONPROFIT ORGANIZATION


I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

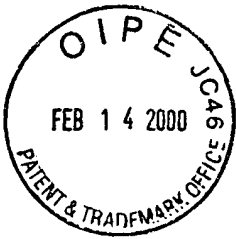
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing

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thereon, or any patent to which this verified statement is directed.


NAME OF PERSON SIGNING: William D. Huse, M.D., Ph.D.
TITLE IN ORGANIZATION: CEO
ADDRESS OF PERSON SIGNING: 3520 Dunhill Street
San Diego, CA 92130

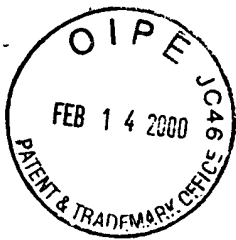
SIGNATURE: 
DATE: February 7, 2000



SMALL ENTITY STATEMENT
P-IX 3458
Serial No.: 09/434,870

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By 
David A. Gay, Reg. No. 39,200
February 7, 2000
Date of Signature



STATEMENT UNDER 37 C.F.R. § 3.73(b)

Title of Application: METHODS OF OPTIMIZING ANTIBODY VARIABLE
REGION BINDING AFFINITY

Application Ser. No.: 09/434,870

Filed: November 4, 1999

Inventor(s): Huse et al.

Attorney Docket No.: P-IX 3458

IXSYS, a Corporation, states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the application. A copy of the executed assignment, submitted for recording, is attached hereto as documentary evidence of the chain of title to the assignee.

The undersigned is empowered to sign this statement on behalf of the assignee.

Date: 1/7/00

Signature: 

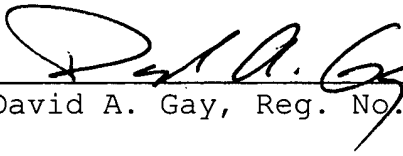
Name: William D. Huse

Title: CEO



STATEMENT UNDER 37 C.F.R. § 3.73 (b)
P-IX 3458
Serial No.: 09/434,870

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